

### **REMARKS**

In this Amendment, Applicant has amended Claims 21, 40, 46 and 50; and added new Claims 55 to overcome the rejections and specify different embodiments of the present invention. It is respectfully submitted that no new matter has been introduced by the amended claims. All claims are now present for examination and favorable reconsideration is respectfully requested in view of the preceding amendments and the following comments.

#### **REJECTIONS UNDER 35 U.S.C. § 102:**

Claims 21 – 29, 35 – 45, 46 – 47 and 49 – 54 have been rejected under 35 U.S.C. § 102 (e) as allegedly being anticipated by Derocher et al. (US 5,914,702), hereinafter Derocher.

Applicant traverses the rejection and respectfully submits that the present-claimed invention is not anticipated by the cited reference. More specifically, Claims 21, 40, 46 and 50 have been amended to include the features that are not disclosed or suggested by Derocher, for example, “said control platform being mounted on said fixed mounting both for limited translation in the x-y plane and for said x and y forces to be applied to said platform without requiring a tilt out of the x-y plane.” The translation in the x-y plane is disclosed in the specification, for example, the last paragraph on page 3, the third paragraph on page 8 (especially, lines 13) and the second paragraph on page 10. The disclosed planar floor of well 7 in Figure 2 and related descriptions in the specification indicate that titling of the control platform out of the x-y plane is prevented. The new Claim 55 also supported by the above disclosure.

On the contrary, Derocher discloses that the plate 72 will pivot about the base of the post 74 (see Fig. 4 and col. 6, line 38) or, at most, could be regarded as being translated over a curved surface (not in a plane) defined by the family of intercepts from

the pivot point to all points on the plate 72. In fact, the control platform disclosed in Derocher is referred to as a “wobble” plate in its abstract and in the specification (see col. 2, lines 28 and 39).

Applicant respectfully submits that there is no indication in Derocher that the disclosed sensors would respond to pure x and y forces (as opposed to tilting forces applied in the z direction) and, hence, the “wobble” of plate 72 must be regarded as essential.

Accordingly, in view of the feature that the translation without tilting specified in the amended claims, which is directly contrary to the teaching of Derocher, it is respectfully submitted that the present invention as claimed is novel and non-obvious over Derocher.

In summary, the newly presented claims are not anticipated by Derocher and the rejection under 35 U.S.C. § 102 (b) has been overcome. Accordingly, withdrawal of the rejection under 35 U.S.C. § 102 (b) is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 103:

Claims 30 – 34, 45 and 48 have been rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Derocher.

Applicant traverses the rejection and respectfully submits that the embodiments of present-claimed invention are not obvious over Derocher. As stated above, Derocher fails to disclose the feature of “said control platform being mounted on said fixed mounting both for limited translation in the x0y plane and for said x and y forces to be applied to said platform without requiring a tilt out of the x-y plane.” as recited in the pending claims. In addition, Applicant respectfully submits that “[T]he mere fact that references can be combined or **modified does not render** the resultant combination

**obvious** unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990)” (emphasis added, see MPEP 2143.01).

In summary, there is no motivation to modify Derocher. Even if it is modified, it will not render the present claimed invention obvious. One of ordinary skill in the art would not discern the present invention as claimed at the time of its invention.

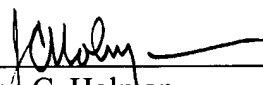
Therefore, the newly presented claims are not obvious over Derocher and the rejection under 35 U.S.C. § 103 has been overcome. Accordingly, withdrawal of the rejections under 35 U.S.C. § 103 is respectfully requested.

Having overcome all outstanding grounds of rejection, the application is now in condition for allowance, and prompt action toward that end is respectfully solicited.

Respectfully submitted,

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